

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS HEALTH AND WELFARE	:	CIVIL ACTION
FUND OF PHILADELPHIA AND VICINITY	:	
CARPENTERS PENSION AND ANNUITY	:	
FUND OF PHILADELPHIA AND VICINITY	:	
CARPENTERS SAVINGS FUND OF PHILADELPHIA	:	
AND VICINITY	:	
NATIONAL APPRENTICESHIP AND HEALTH	:	
AND SAFETY FUND	:	
CARPENTERS JOINT APPRENTICE	:	
COMMITTEE	:	
LOCAL UNION 1823 FLOOR COVERERS	:	
LINOLEUM LAYERS AND CARPET SEWERS	:	
METROPOLITAN REGIONAL COUNCIL	:	
OF CARPENTERS, SOUTHEASTERN	:	
PENNSYLVANIA, STATE OF DELAWARE	:	
AND EASTERN SHORE OF MARYLAND	:	
CARPENTERS POLITICAL ACTION	:	
COMMITTEE OF PHILADELPHIA AND	:	
VICINITY and	:	
EDWARD CORYELL	:	
1803 Spring Garden Street	:	
Philadelphia, PA 19130	:	

Plaintiffs

vs.

A & J CARPET
a/k/a A & J CARPET OUTLET, INC.
980 Black Horse Pike
Turnersville, NJ 08012-0202

Defendants.

NO.: 02-3680

STIPULATION AND ORDER OF SETTLEMENT

THIS MATTER having been opened to the Court by Richard J. DeFortuna, Esquire

attorney for the Plaintiffs and the Defendant being represented by Donald L. Katz, Esquire; and it appearing to the Court that the parties have consented to the entry of the within Stipulation of Settlement and no cause to the contrary appearing why this Stipulation should not be entered;

IT IS THEREFORE on this _____ day of April, 2003, hereby stipulated as follows:

1. Plaintiffs have asserted based upon the results of an audit of defendant's business records through November 30, 2002 that there is due plaintiff by the defendant pursuant to the terms of a certain Collective Bargaining Agreement, the sum of \$7,356.19 for wages and contributions, \$238.96 for liquidated damages, and \$400.00 for audit costs. Plaintiffs also assert that there is due attorneys fees and costs of \$9,593.29 in connection with this litigation for a total claim due of \$17,589.06.

2. The parties agree to settle this matter, and all claims asserted by all plaintiffs against the defendant for all periods through November 30, 2002 for the sum of \$15,000.00 to be paid as follows:

(A) The sum of \$2,000.00 shall be paid by the Defendant, A & J Carpet Outlet, Inc. to the Carpenters Benefit Funds of Philadelphia & Vicinity on behalf of all plaintiffs no later than April 15, 2003;

(B) The balance of \$13,000.00 plus interest at the rate of 8% per annum shall be paid in 7 consecutive monthly installments of \$1,917.45 no later than the 15th day of each month, beginning May 15, 2003 by check payable to Carpenters Benefit Fund, of Philadelphia & Vicinity, on behalf of all plaintiffs.

3. If any payment is not made when due, as described in paragraph 2, plaintiffs shall

provide written notice to Defendant and Defendant's counsel that payment has not been made pursuant to this Stipulation. The notice requirement shall be satisfied by sending a copy of the notice by regular mail to A & J Carpet Outlet, Inc., Attn: James A. DePiano, President at 980 Black Horse Pike, Store 1B, Turnersville, New Jersey 08012 or by faxing a copy to 856-227-4212 with a copy by regular mail and telecopier to Donald L. Katz, Esquire, P.O. Box 1114, Turnersville, New Jersey 08012, fax number 856-589-3771. If payment is still not made within 10 days of the date that notice is given, plaintiff may on ex parte affidavit of plaintiff's counsel that payment has not been made, have Judgment entered for the full amount claimed due in paragraph 1 of this Stipulation of Settlement less credit for all payments made pursuant to this Stipulation and credited to principal.

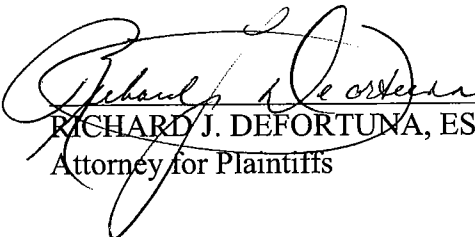
4. Upon completion of all payments, this case shall be dismissed with prejudice.

APPROVED AND SO ORDERED

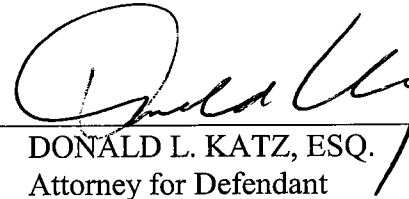
TIMOTHY J. SAVAGE, J.

Date: _____

We hereby consent to the form
and entry of the within
Stipulation and Order of Settlement.



RICHARD J. DEFORTUNA, ESQ.
Attorney for Plaintiffs



DONALD L. KATZ, ESQ.
Attorney for Defendant